## *REMARKS*

Claims 1-18, 20-26, and 28-30 are pending in the application. Claims 20-26 stand withdrawn from consideration as being drawn to a non-elected invention. New claims 29-30 read on the elected invention.

The Amendment to the claims is found throughout the specification and claims as originally filed. Accordingly, no new matter is presented by this Amendment.

## THE RESTRICTION REQUIREMENT:

The Examiner has acknowledged Applicant's election, but has not addressed the points raised in Applicant's traversal set forth in the Amendment filed on April 23, 2003. Applicant again requests that the examiner provide (1) an example showing that one of the subcombinations has utility other than in the disclosed combination (2) a showing that examination of claims 20-26 cannot be made without serious burden in light of the fact that the examiner has already examined claims 20-26 in their merits. Absent the requisite showing, it is respectfully submitted that the Examiner has not met his burden of showing that the inventions are independent or distinct and that restriction is proper. Accordingly, withdrawal of the restriction requirement and examination of all claims pending herein is respectfully requested.

## REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-6, 8-16, 18, 27, and 28 stand rejected under 35 U.S.C. § 103 as being unpatentable over Brennan et al. (U.S. Patent No. 4,788,720) in view of Zhu (U.S. Patent No. 6,240,172). Claim 27 has been cancelled. The rejection is traversed with respect to claims 1-6, 8-16, 18, and 28. The rejection is also traversed with respect to new claims 29 and 30, to the extent the Examiner may consider the rejection applicable thereto.

The method of the present invention maps telecommunication system features in a telecommunication system to buttons of a local instrument, wherein the mapping may be accomplished by a user at a local instrument

through the use of user prompting via, beeps, buzzes, and voice prompts provided by the central controller receiving user input in response to said at least one audible prompt. The mapping is stored in a memory of the central programming controller in response to the user input.

Brennan et al. disclose a programmable telephone ("set") for implementing a plurality of special features such as hold, call transfer, call forward, etc. The set is comprised of a microprocessor and electronic telephone circuit connected to a plurality of programmable function keys, for generating one or more Centrex or PBX special feature access code signals in response to depression of predetermined ones of the keys. The special feature access code signals are programmed into the set such that the set may be used with a variety of PABX and Centrex facilities in lieu of expensive proprietary subscriber sets or awkward and difficult to use standard type 2500 sets. Thus, the system of Brennan et al. requires programming the special feature access codes for a particular PBX or Centrex system into the set. See, e.g., column 2, lines 24-30; column 3, lines 5-10.

Thus, the Brennan et al. system stores the special feature access codes for a particular PBX or Centrex system in the local instrument itself. The Brennan et al. system is concerned with making the set adaptable for use with a variety of PBX or Centrex systems by allowing the appropriate special feature access codes to be stored in a memory of the set.

The present invention, on the other hand, does not require that the special feature access codes be stored in the local instrument, but rather, stores data in the central controller to map a particular key to a selected special feature. There is nothing in the Brennan et al. reference that discloses or suggests mapping a selected one of the plurality of telecommunication system features in a central programming controller to a particular switches on the local instrument.

The Zhu reference does not cure this deficiency of the Brennan et al. reference. In the system of Zhu, the special purpose program corresponding to the special feature is physically stored in electrically erasable programmable read only memory (EEPROM) of the telephone set. A user may also remotely

8

reconfigure a feature-function telephone via a voice prompt system contained at a Central Office of the telephone company. Again, like Brennan et al., the special feature program is physically transmitted to the user's telephone set. See column 5, lines 37-40. The special access programming code for the desired feature must be stored in the telephone set itself. There is nothing to suggest mapping a specified switch on the local instrument with a special feature contained in a central programming controller. In fact, the system of Zhu does not employ a central controller since the telephone set of the Zhu system is connected to and communicates directly to a Central Office of the telephone company (See, e.g., Figure 1; column 2, lines 19-21, etc.), rather than through a central controller, e.g., a PBX or key system, as required by the present claims.

Thus, both of the references disclose storing the special feature access codes in the telephone set and neither of the cited references disclose simply the mapping, in a central controller, a particular key of a local instrument to programming in the central controller, as called for by the present claims.

The Examiner acknowledges that Brennan et al. discloses programming the telephone to generate a specified special feature access code rather than mapping a feature on a central programming controller to a specified switch on the telephone set as require by the present claims. See page 7, lines 17-18 of the Office action (Paper No. 12), in which the Examiner states that with respect to Brennan et al.,

> The set has been programmed to generate the proprietary
> access code signal for implementing a special feature.

Thus, the Examiner is apparently improperly equating mapping a key on a local instrument with a feature on a central programming controller, and programming the local instrument to generate a specified access code directly.

It is well established that, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also In re Wilson, 165 U.S.P.Q. 494 (C.C.P.A. 1970). As set forth above, both Brennan et al. and Zhu teach only physically storing special feature access codes or programming in

9

a memory of a telephone set. Both references fail to teach or suggest mapping keys to selected features in a central controller.

Because the cited references taken alone and in combination fail to teach or otherwise suggest each and every claim element, it is respectfully submitted that a prima facie case of obviousness has not been established. Withdrawal of the rejection of claims 1-6, 8-16, 18 and 28 is, therefore, respectfully requested.

Claims 7 and 17 stand rejected under 35 U.S.C. § 103 as being unpatentable over Brennan et al., above, in view of Zhu, above, and in further view of LeDuc et al., (U.S. Patent No. 5,355,404) The rejection is traversed as follows.

As detailed above, the method of the present invention requires, inter alia, mapping, in a central programming controller and in response to the user input at a local instrument, a selected switch on a local instrument to a selected special feature on the central programming controller.

Brennan et al. is discussed above and is directed to a telephone set which is programmable such that special feature access code signals are stored in a memory of the telephone and are generated when in response to depression of a selected key. Brennan et al. does not disclose mapping, in the central controller, a particular key with a special feature contained in the central controller as called for by the present claims.

The Zhu reference, discussed above, discloses a special feature telephone set having EEPROM so that appropriate programming code corresponding to a desired special feature may received directly from a Central Office and physically stored in the telephone set. Again, there is no teaching or suggestion of a central mapping as recited in the present claims.

The Examiner additionally relies on LeDuc et al., which is relied upon by the Examiner only for its teaching of a telephone set having lights. LeDuc et al. disclose a method for use by a switching system in controlling the rate of downloading of parameters to customer stations. The method of LeDuc

addresses the problem of downloading to the stations of an entire configuration group in uncontrolled fashion, which would interfere with the switching system processing of telephone calls. To address this problem, LeDuc et al. propose performing such downloading at a controlled rate thereby limiting any reduction in call processing due to the parameter downloading.

Thus, the LeDuc et al. reference does not cure the basic deficiency of the Brennan et al. and Zhu references in that the system of LeDuc et al. teaches physically downloading parameters to the local instruments. See LeDuc et al., Abstract at line 2. There is no teaching or suggestion of mapping as recited in the present claims.

Thus, all of the references disclose storing the special feature access codes in the telephone set and neither of the cited references disclose simply the mapping, in a central controller, a particular key of a local instrument to programming in the central controller, as called for by the present claims.

It is well established that, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also In re Wilson, 165 U.S.P.Q. 494 (C.C.P.A. 1970). As set forth above, Brennan et al. Zhu, and LeDuc et al. teach only physically storing special feature access codes or programming in a memory of a telephone set. Each reference fail to teach or suggest mapping keys to selected features in a central controller.

Because the cited references taken alone and in combination fail to teach or otherwise suggest each and every claim element, it is respectfully submitted that a prima facie case of obviousness has not been established. Withdrawal of the rejection of claims 7 and 17 is, therefore, respectfully requested.

PRIOR ART MADE OF RECORD AND NOT RELIED UPON

Applicant will not burden the record with a discussion of the prior art cited by the Examiner, but not relied upon in a rejection.

11

## CONCLUSION

For the above reasons, Applicant respectfully submits that certain clear and distinct differences as discussed exist between the present invention and the references upon which the rejections in the outstanding Office action rely. These differences are more than sufficient that the present invention as claimed would not have been neither anticipated nor rendered obvious given these references. Rather, the present invention as a whole is distinguishable from, and thereby allowable over, the references of record. Notification to that effect, upon due consideration of the above by the Examiner, is earnestly solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of this application, the Examiner is invited to contact Applicant's undersigned representative at the address and phone number indicated below.

Respectfully submitted,

October 30, 2003

Scott C. Rand; Reg. No. 40,359
McLANE, GRAF, RAULERSON &
MIDDLETON, PA
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
(603) 628-1461 (tel)
(603) 625-5650 (fax)